

FILED

FEB 28 2025

AO 91 (Rev. 11/11) Criminal Complaint

AT 0 O'CLOCK

for the

John M. Domurad, Clerk, Syracuse

Northern District of New York

UNITED STATES OF AMERICA

v.

)

Case No. 5:25-MJ-52 (TWD)

Jonas Morales-Lopez,

)

)

)

)

Defendant.

)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of February 28, 2025 in the county of Oswego in the Northern District of New York, the defendant violated:

Code Section
8 U.S.C. § 1326(a)

Offense Description
Illegal reentry

This criminal complaint is based on these facts:

Please see attached affidavit.

Continued on the attached sheet.

Foster Rubinstein

Complainant's signature

Border Patrol Agent Foster Rubinstein

Printed name and title

Attested to by the affiant in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.

Date: February 28, 2025

Thérèse Wiley Dancks

Judge's signature

City and State: Syracuse, New York

Hon. Thérèse Wiley Dancks, U.S. Magistrate Judge

Printed name and title

Affidavit in Support of a Criminal Complaint

1. I am a U.S. Border Patrol Agent assigned to the United States Border Patrol, Buffalo Sector. My current duty station is the U.S. Border Patrol Oswego Station, located in Oswego, New York. I have been a U.S. Border Patrol Agent for about 1.5 years. I make this affidavit in support of a complaint for a violation of Title 8, United States Code, Section 1326(a) against Jonas MORALES-Lopez.

2. This affidavit is based upon my review of immigration database checks conducted on Jonas MORALES-Lopez and interviews of law enforcement personnel involved in his arrest.

3. On February 28, 2025, at approximately 8:55 a.m., Homeland Security Investigations Special Agent Michael Ball, working a joint operation with United States Border Patrol, encountered an individual at 1741 State Route 48 in Fulton, New York. The subject presented a Consular Identification Card from the Republic of Guatemala. The subject was identified as Jonas MORALES-Lopez.

4. At approximately 9 a.m., Border Patrol Agent Ian Brockway and Supervisory Border Patrol Agent Edgar Lorenzo arrived on scene. MORALES-LOPEZ admitted to SBPA Lorenzo that he was illegally present in the United States and did not have any documents to remain in the United States legally. Subsequently, SBPA Lorenzo placed MORALES-LOPEZ under arrest and transported him back to the Oswego Border Patrol Station for further processing.

5. At the Oswego Station, MORALES-LOPEZ's biographical information and fingerprints were entered into the E3/Ident/IAFIS computer systems. Buffalo Sector Communications completed criminal and immigration checks. Records checks revealed that MORALES-LOPEZ has previously illegally entered the United States, and then been removed from the United States, on three occasions:

- May 2010: apprehended in Arizona, processed as expedited removal through Phoenix, Arizona on or about May 14, 2010.
- October 2011: apprehended in Arizona, ordered removed and then removed through Phoenix, Arizona, on or about January 27, 2012.
- February 2021: apprehended in Arizona, ordered removed and then removed through Alexandria, Louisiana, on or about March 11, 2021.

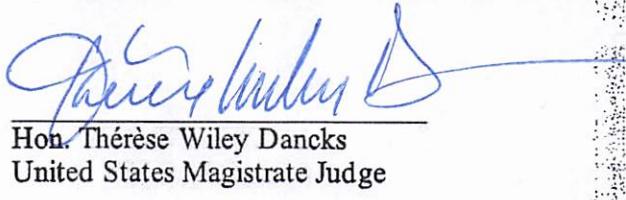
6. I have further determined that the defendant has never applied for or received permission to reenter the United States from the Attorney General or the Secretary of the Department of Homeland Security, after his removal on March 11, 2021.

7. Based on the records of the Department of Homeland Security, as well as the defendant's presence in Oswego on February 28, 2025, there is probable cause to conclude that the defendant illegally reentered the United States subsequent to his removal on March 11, 2021, without the express permission of the Attorney General or Secretary of the Department of Homeland Security, in violation of Title 8, United States Code, Section 1326(a).

Attested to by the affiant:

Foster Rubinstein
Foster Rubinstein
Border Patrol Agent

I, the Hon. Thérèse Wiley Dancks, United States Magistrate Judge, hereby acknowledge that this affidavit was attested by the affiant by telephone on February 28, 2025, in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.


Hon. Thérèse Wiley Dancks
United States Magistrate Judge